

CHIEN DECLARATION
EXHIBIT D

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

UGOCHUKWO GOODLUCK NWAUZOR,
et al.,

Plaintiffs,

v.

THE GEO GROUP, INC.,

Defendant.

STATE OF WASHINGTON,

Plaintiff,

v.

THE GEO GROUP, INC.,

Defendant.

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)
)
)
) 3:17-cv-05769-RJB
) 3:17-cv-05806-RJB
)
) Tacoma, Washington

) June 9, 2021

) Jury Trial

) 9:00 a.m.

VERBATIM REPORT OF PROCEEDINGS
BEFORE THE HONORABLE ROBERT J. BRYAN
UNITED STATES DISTRICT JUDGE

Proceedings stenographically reported and transcribed
With computer-aided technology

1 analysis. You would figure out how much it would cost to do
2 that from staff from the community?

3 A Yes, the Department of Labor establishes the wages for
4 hourly employees in our facilities. There's different job
5 codes and descriptions. We are required by law to pay in
6 accordance with that.

7 Q So before we move from this exhibit, I want to be really
8 clear that the financial information GEO provided to ICE in
9 the letter of May 30th, 2018 about paying, or the cost of
10 paying minimum wage to detainee workers, or the cost of
11 paying prevailing wages for the work currently done by
12 detainees, if you had to hire staff from the outside to do it
13 instead, was for informational purposes only; isn't that
14 right?

15 MS. SCHEFFEY: Objection, compound and vague.

16 THE COURT: You may answer.

17 THE WITNESS: Can you say it again?

18 BY MS. BRENNEKE:

19 Q The financial information you provided was for
20 informational purposes for ICE; isn't that true?

21 A I think it was for illustrative purposes to give them a
22 sense of what they could possibly incur if, as I said before,
23 if these programs, these voluntary programs were to go away.
24 The government is going to end up paying that cost if that
25 were to be the case.

1 Q Well, the government would pay that cost only if it agreed
2 to pay that cost, correct?

3 A Well, they would agree to pay it.

4 Q You are pretty confident of that?

5 A Certain of it.

6 Q But under the existing contracts with ICE, GEO would have
7 to essentially eat those costs until such time as GEO paid
8 it, correct? Until such time as ICE were to agree to pay
9 additional?

10 A We have to go through an equitable adjustment process
11 which is similar to what this letter was about.

12 Q The equitable adjustment process would be one to say, hey,
13 ICE, we have decided, or we now need to pay minimum wage to
14 our detainee workers in Washington State, and we would like
15 to pass that cost on to you. That's what an equitable
16 adjustment would be; is that right?

17 A Yeah. I really don't know how it would work out.
18 Ultimately, the government has to adhere to the law, too. If
19 the courts change the ruling, I think the government is
20 subject to that. I am not sure there needs to be an
21 equitable adjustment process. That's where the contractual
22 issues would be worked out and figured out, and I don't know
23 about that.

24 Q What I am thinking is that what you are talking about
25 right now is an idea of what GEO would do and what GEO would